

REMARKS

Claims 1-17 are pending. Claims 1-5 and 9-14 stand rejected under 35 U.S.C. § 103 over admitted prior art in view of Segaram, U.S. Patent No. 5,822,325. Claims 6-8 and 15-17 are objected to as being dependent on a rejected base claim but would be allowable if rewritten in independent form.

By this Amendment, Applicants amend claims 1, 4-5, 10 and 13-14, cancels claims 3 and 12, and traverses the rejections. Reconsideration is respectfully requested.

In paragraph 2 of the Office Action, claims 1-5 and 9-14 are rejected under § 103. However, neither the admitted prior art nor Segaram, even if combined, show or suggest, as required in independent claims 1 and 10 of the present application, “a selection circuit coupled to said multiplexing circuit, said pattern generation circuit, and said memory, **wherein in response to reception of said fixed pattern output by said memory**, said selection circuit selects said unfixed pattern generated by said pattern generation circuit.” (Emphasis added.)

In Segaram, random data is sent in response to the detection of an unauthorized source or destination address, not in response to the reception of a fixed pattern output by the memory as required by claims 1 and 10. In other words, Segaram provides that “if one or more ports are unauthorized destinations for txdata [transmit data], then, through the security feature . . . the port associated with each of the unauthorized destination ports controls its corresponding analog multiplexer to select the random data instead.” (Column 5, lines 50-55.) Also, “when the source address is unauthorized, RIC 100 (Fig. 1) must provide random data to every transmit port block.” (Column 7, lines 31-33.) Further, as the Office Action acknowledges, Applicants’ admitted prior art “fails to specifically teach a pattern generation circuit for generating an unfixed pattern having no fixed value and outputting the pattern to said multiplexing circuit.” Thus, Segaram and the admitted prior

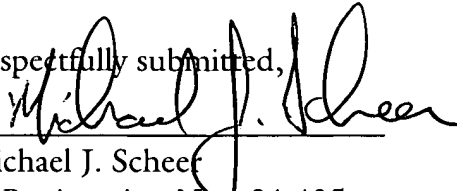
art, even if combined, fail to teach each and every element of the present invention as required in independent claims 1 and 10. As a result, a *prima facie* case of obviousness under 35 U.S.C. § 103 has not been shown. Withdrawal of the rejections of claims 1 and 10 is thus respectfully requested.

Claims 2 and 4-9 depend from independent claim 1, and claims 11 and 13-17 depend from independent claim 10. In view of the above, each of these claims is patentable over the combination of Segaram and the admitted prior art. "If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious." M.P.E.P. § 2143.03, quoting In re Fine, 837 F.2d 1071 (Fed. Cir. 1988).

Applicants acknowledge with gratitude that claims 6-8 and 15-17 would be allowable if rewritten in independent form. However, Applicants defer so rewriting the claims until after reconsideration of the application.

Applicants have shown that claims 1-2, 4-11, and 13-17 are patentable under 35 U.S.C. § 103. In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance and such action is earnestly solicited.

Dated: October 21, 2004

Respectfully submitted,
By 
Michael J. Scheer
Registration No.: 34,425
DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP
1177 Avenue of the Americas, 41st Floor
New York, New York 10036-2714
(212) 835-1400
Attorney for Applicants

MJS/AJH/rra